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REMARKS

Applicant has carefully reviewed the office action mailed April 4, 2006 and offers the following remarks to accompany the above amendments.

Applicant appreciates the indication of allowable subject matter in claims 49, 55, 56, 62, 67, and 68. As such, the following amendments have been made to the claims.

Claims 49, 55, 56, 62, 67, and 68 have been amended to include the limitations of the independent claims from which they depend. Claims 49 and 62 were also amended to correct informalities.

Claims 47 and 59 have been cancelled as being redundant.

Claims 48, 50-54, 57, 58, 60, 61, 63-66, and 69-72 have been amended to now depend from one of the claims that have allowable subject matter.

In the Footnotes in the Office Action, the Examiner objects to the use of the term "adapted to" and suggests that Applicant replace the "adapted to" clause with a positive statement. Applicant initially notes that the two Federal Circuit cases cited by the Examiner discuss "whereby" clauses, not the term "adapted to." Moreover, functional language does not, in and of itself, render a claim improper. *In re Swinehart*, 439 F.2d 210 (CCPA 1971). A functional limitation must be evaluated and considered, just like any other limitation in the claim, for what it fairly conveys to a person of ordinary skill in the art. MPEP § 2173.05(g). A functional limitation is often used in association with an element or step of a process or method to define a particular capability or purpose that is served by the recited element or step. *Id.* The Patent Office's objection to the "adapted to" language is not supported by the applicable case law. Contrary to the Patent Office's assertion, the Federal Circuit has mandated that "adapted to" language is a positive limitation and must be considered when weighing patentability. *Pac-Tec, Inc. v. Amerace Corp.*, 903 F.2d 796, 801 (Fed. Cir. 1990) (citing *In re Venezia*, 530 F.2d 956 (CCPA 1976)). Therefore, Applicant respectfully submits that the "adapted to" language is perfectly acceptable according to the applicable Federal Circuit case law.

In light of the present amendments, Applicant respectfully submits that the outstanding rejections and objections have been traversed and should be withdrawn.

The present application is now in condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact Applicant's representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,

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